

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-00060-MOC-WCM

T.S., and J.S.,

Plaintiffs,

v.

ANTHEM BLUE CROSS BLUE
SHIELD, and the
DELOITTE LLP GROUP
INSURANCE PLAN,

Defendants.

ORDER

This matter is before the Court for case management purposes and on the following motions.

I. Motions for Extension of Time

The Corrected/Unopposed Motion to Extend Time to Respond to Plaintiffs' Complaint (Doc. 27) is **GRANTED** and the deadline for Defendant Anthem Blue Cross and Blue Shield ("Anthem") to file an answer or other response to Plaintiffs' Complaint is **EXTENDED** to and including May 8, 2023.

The Motion to Extend Time to Respond to Plaintiffs' Complaint (Doc. 26) is **DENIED AS MOOT**.

II. Counsel Issues

A. Counsel for Defendant Anthem

The docket shows Anthem as being represented by Michael B. Cohen, Nathan R. Marigoni, and Virginia Bell Flynn.

Ms. Flynn and Mr. Cohen, who are admitted to practice in this district, have filed notices of appearance on behalf of Anthem. Docs. 16, 17.

On March 8, 2023, notice was sent to Mr. Marigoni advising that he is required to associate local counsel and file a motion for admission pro hac vice. No such motion has been filed at this time, though.

Mr. Marigoni is therefore reminded that if he intends to represent Anthem in this matter, a motion for his admission pro hac vice must be submitted by an attorney who is admitted to practice in this district, in accordance with the Local Rules.

B. Counsel for Defendant Deloitte LLP Group Insurance Plan

The docket also indicates that Mr. Marigoni represents Defendant Deloitte LLP Group Insurance Plan.

However, a document has been filed indicating that this defendant wishes to substitute Patrick J. Brooks for Mr. Marigoni. Doc. 28.¹

¹ The docket entry describes the document as being a consent motion, while the document itself is titled as a consent order.

The Court construes this filing as being a Notice of Substitution of Counsel pursuant to Rule 83.1(g) of the Local Civil Rules, and therefore respectfully directs the clerk to substitute Mr. Brooks for Mr. Marigoni as counsel for Defendant Deloitte LLP Group Insurance Plan.

It is so ordered.

Signed: April 7, 2023

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

